

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants | : SPIELER et al. | Group Art Unit | : TBA |
| Serial No. | : TBA | Examiner | : TBA |
| Filed | : August 20, 2003 | | |
| For | : SYSTEM AND METHOD FOR MANAGER ENHANCED RETURN ON COLLATERALIZED DEBT OBLIGATION TRANSACTIONS | | |

INFORMATION DISCLOSURE STATEMENT

Mail Stop Information Disclosure Statement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation-In-Part application under 37 C.F.R. §1.60, U.S. Serial No. _____, filed _____.
4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

- ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$_____ is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500. Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;

- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-3250. Order No. 36287-01301. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-3250. Order No. 36287-03801. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MILBANK, TWEED, HADLEY & McCLOY LLP



Chris L. Holm

Reg. No.: 39,227

August 20, 2003

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| FORM PTO-1449 | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO.: 36287-03801 | | SERIAL NO.: TBA | | |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | | | APPLICANT: SPIELER et al. | | | | |
| | | | | FILING DATE: August 20, 2003 | | GROUP ART UNIT: TBA | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | | 6,360,210 B1 | 03/19/02 | Wallman | | | 02/12/99 | |
| | | 6,338,047 B1 | 01/08/02 | Wallman | | | 06/24/99 | |
| | | 6,282,520 B1 | 08/28/01 | Schirripa | | | 09/09/98 | |
| | | 6,148,293 | 11/14/00 | King | | | 10/17/97 | |
| | | 6,092,056 | 07/18/00 | Tull, Jr. et al. | | | 05/17/99 | |
| | | 5,704,045 | 12/30/97 | King et al. | | | 01/09/95 | |
| | | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | | WO 00/75819 A2 | 12/14/00 | Europe | | | ✓ | |
| | | JP 2002-140514 A | 05/17/02 | Japan | | | ✓ | |
| | | | | | | | | |
| OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Papers, Etc.)</i> | | | | | | | | |
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| EXAMINER | | | | DATE CONSIDERED | | | | |

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

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|------------------------|-----------------|
| Application Number | TBA |
| Filing Date | August 20, 2003 |
| First Named Inventor | SPIELER et al. |
| Art Unit | TBA |
| Examiner Name | TBA |
| Attorney Docket Number | 36287-03801 |

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| Sheet | 1 | of | 1 |
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.